

Planning, Building and Code Enforcement 200 East Sania Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

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This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filled, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

PRINTNAME Jesse Jesse Robles		DAYTIME TELEPHONE#	
ADDRESS 1013 Shamrock Dr	CITY CA	mphellst	ATE SOON
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STATE OF CALIFORNIA)
COUNTY OF Santallara) ss.)
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I certify under PENALTY OF PERJURY under paragraph is true and correct.	r the laws of the State of California that the foregoing
WITNESS my hand and official seal.	COMM. #1813285 Notary Public - California Santa Clara County Ny Comm. Expires Sep. 16, 2012 (Seal)
Notary Public '	
STATE OF CALIFORNIA)) ss.
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	(Seal)
Notary Public	

ATTACHMENT A

TO ZONING PROTEST APPLICATION

- 1. Prezoning Paves the Way for Streamlined Annexation Without Protest. The Prezoning is proposed in conjunction with and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
- 2. Prezoring Directly Contradicts City of Campbell and Cambrian 36 Property
 Owners Requests. The Prezoning is the first step of a unilateral effort initiated by the City
 of San Jose to annex Cambrian 36 an effort which directly contradicts the stated desire of
 both the City of Campbell and Cambrian 36 property owners to annex Cambrian 36 into
 the City of Campbell. In October of 2006, a petition signed by 204 Cambrian 36 property
 owners was presented to the City of Campbell asking that it be annexed to the City of
 Campbell. In response, the City of Campbell directed its staff to pursue two different
 possibilities for annexation of Cambrian 36, one which received preliminary support from
 City of San Jose staff. Councilmember Judy Chirco, citing an inapplicable 1984 city policy
 (concerning de-annexation), quashed this effort. Despite this disappointing response, both
 Campbell's and Cambrian 36 property owners' interest in annexing Cambrian 36 remains
 unequivocal. As recently expressed in the Mayor of Campbell's letter to the Mayor of San
 Jose dated September 2, 2010, "Campbell welcomes the annexation of the Cambrian #36
 pocket into our city. The residents have Campbell mailing addresses, identify with
 Campbell, and stated a clear preference to be part of Campbell."
- 3. <u>Prezoning Will Result in Annexation that Will Not Benefit My Property.</u> My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- Environmental Review of Prezoning Violates CEOA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 -- more than 16 years ago -- and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).



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and is now zoned	R1-8		_ District. (in Santa	Clara County)
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SIGNATURE(S): OF PROTESTANT(S):

This form must be signed by ONE or more owners of an undivided interest of all least 51% in the lot or percel for which such protest is lifed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

PRINTNAME Elizabeth Z Dow		DAYTIME TELEPHO <u>NE</u> #		218-2117
ADDRESS 955 Stonehurst Ny	Campl		(19) (19)	ZIPCODE 95008
SIGNATURE (Notarized) Fall 2 Doa	· •		DATE 9-5	15-10
PRINTNAME Stephen C. Dow		DAYTIME TELEPHONE#	408-3	32-6224
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STATE OF CALIFORNIA) SS. (1) SS.
COUNTY OF Sanda Clara 3 85.
On Self 35, 30() before me, June 11 June. Notary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Commission # 1733376 Notary Public (Seal) Commission # 1733376 Notary Public (Seal)
STATE OF CALIFORNIA COUNTY OF Soula Clara 65.
On Show (Notary Public, personally appeared who proved to me on the basis of satisfactory evidence-to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Notary Public

(Sea

DIANE M. JAMES
Commission # 1733376
Notary Public - California
Sonta Clara County
My Comm. Expires Apr 20, 2011

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Sep.27.2010 16:59



CITY OF SAN JOSE

Planning, Building and Code Embroament 200 East Santa Clara Street San José, DA 95113-1908 tel 408) 535-3595 fex (408) 292-6055 Website: www.samjassos.gov/ptsmbng

ZONING PROTEST APPLICATION

PLENUMBER C10-010 QUAD # ZONING BENEFAL DATE BY REZONING FLENUMBER ADDRESS OF PROPERTY BEING 10 6 5 ALERNO DR. GAMPBELL CA- ASSESSON BRANCEL NUMBER(S) 4 4 - 05 - 047 - 00 REASON OF PROTEST** I protect the proposed rezoning because See Attachment A Use separatechect financeses/ The property in which I own an undivided interest of at least 51%, and on behalf of which this protect is being fled, is situated at: (desorbe property by address and Assessor's Percel Number) COCCO SALERNO DR. GAMPBELL CA- BLATT WIND DS- BLATT BL	The state of the s		Action in the last of the last	# 6 6 6 . P. Lewis Track 15 . P. 15 15 15 1	The state of the s	DESCRIPTION OF THE PROPERTY OF
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PLEASE CALL THE APPOINTMENT DESK AT (408) 536-3555 FOR AN APPLICATION APPOINTMENT.

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ATTACHMENT A

TO ZONING PROTEST APPLICATION

- 1. Prezoning Paves the Way for Streamlined Annexation Without Protest. The Prezoning is proposed in conjunction with -- and is a necessary prerequisite to -- the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
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Planning, Building and Code Enforcement 200 East Santa Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

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	e To BE 6	OMPLETE	D BY PLANNING	STAFF		<u> </u>
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	i interest which I own in the					
	ee Interest (ownership)					
_	easehold Interest which e	xpires on _				
	Other: (explain)					
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SIGNATURE(S) OF PROTESTANT(S)

This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

PRINT NAME H: TIM TANABE		DAYTIME TELEPHONE#	209-	9521 CELL	as Ly
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	- Campber	412-3	9-004				
	and is now zoned	<u>R1-8</u>		District. (in S	Santa Clara Co	ounty)	
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	Lease	hold interest which	expires on				
	Other:	(explain)					
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PRINTNAME TONVERCE P. BROWN		DAYTIME TELEPHONE#	650-2	79-5098
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PRINTNAME	<i>J</i> 3∩	DAYTIME TELEPHONE#	408-1	1280-pg
ADDRESS 893 Stonehurst wa	<i>(prw\Φ</i> c⊔λ	ch 8	TÂTE C	ZIPCODE 15005
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STATE OF CALIFORNIA)
COUNTY OF Soula Clara) ss.
on Self 35, 3010 before me, Werl MillNotary Public, personally appeared who proved to me on the basis of satisfactory evidence-to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Commission # 1733376 Commission # 1733376 Commission # 1733376 Commission # 1733376 Notary Public - Collifornic Sania Clara County My Comm. Express Apr 20, 2011
STATE OF CALIFORNIA COUNTY OF Saxla Clara Sex.
On Sept 25, 2010 before me, White My Motary Public, personally appeared who proved to me on the basis of
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and

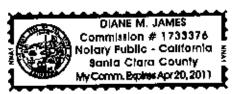
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Notary Public

(Seal)



ATTACHMENT A

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- 4. <u>Staff Analysis of Prezoning is Insufficient.</u> Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEQA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"), the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 more than 16 years ago and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
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	TO BE G	3MPLETED	BY PLANNING STAFF	244	
FILENUMBER	C10-0	10	COUNCIL DISTRICT		
QUAD#	ZONING	GENERAL PLAN		DATE	
REZONING FILE NUMI	BER			BY	
10			ED BY APPEICANT		
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ASSESSONS PARGEL	NOMBER(S)	412-3	39-005		
REASON OF PROTES!	Fed rezoning because				
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			east 51%, and on behalf of whi essor's Parcel Number)	ch this protest is being filed,	
		905	Sto NehwsT Wy 412-39-005	1- CAMPBULL CA	
			412-39-005		
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Olher: (explain)					
					

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PRINTNAME JUNE BECKSTEIDS HANCECK		DAYTIME TELEPHONE#	(408)3	77-2163
ADDRESS 905 STONEHURST WY	CITY (AMODE)	11 P	TATE	ZIP CODE <i>950</i> 0 &
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STATE OF CALIFORNIA)			
COUNTY OF SMA CUMA	_) 6s.)			
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paragraph is true and correct. WITNESS my hand and of Notary Public	fficial seal.	NAMA	Notary San	M. S. LUCIO nission # 1794411 Public - Colifornia la Clara County m.ExpresMay22,2012	Years our ear
STATE OF CALIFORNIA	_)) ss.)			
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WITNESS my hand and of	fficial seal,				
			(Seal)		
Notary Public			. ,		

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TO BE COMPLETED BY PLANNING STAFF	
FILE NUMBER COUNCIL DISTRICT	
QUAD# ZONING GENERAL	
REZONING FILE NUMBER	-
TO HE COMPLETED BY APPLICANT (RUGASE ARINT OR TYPE)	
PROTESTED 88 & Stonehuret Wy	
ASSESSOR'S PARCELNUMBER(S) 412 - 40 - 024	
REASON OF PROTEST I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of which this pro- is situated at: (describe property by address and Assessor's Parcel Number) Some Number When the property is a property by address and Assessor's Parcel Number)	itest is being filed,
882 Stone hurst My 412-40-024	
and is now zoned <u>R1-8</u> District. (in Santa Clara Count	y)
The undivided interest which I own in the property described in the statement above is a:	
Fee Interest (ownership)	
Leasehold interest which expires on	
Other: (explain)	

SIGNATURE(S) OF PROTESTA	NT(\$)				
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Carol Caroneni	DAYTIME TELEPHONE#	313-6031			
ADDRESS 883 Stonehurst my CAM	pbell st	(H- 9508			
SIGNATURE (Notarized) Carol Calameni		DATE 9-25-10			
PRINTNAME GARY Michael Calomeni	DAYTIME TELEPHONE#	314-1747			
ADDRESS 882 Stone hurst Camabel	U T	# <i>950</i> 05			
SIGNATURE (Notarized)		DATE - 25-18			
PRINTNAME	DAYTIME TELEPHONE#				
ADDRESS CITY		ATE ZIP CODE			
SIGNATURE (Notarized)		DATE			
PRINTNAME	DAYTIME TELEPHONE#				
ADDRESS		TATE ZIPCODE			
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Use separate sheet if necessary	· · · · · · · · · · · · · · · · · · ·	<u> </u>			

STATE OF CALIFORNIA)
countror Sonta Clara ; ss.
On Color of Notary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
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WITNESS my hand and official seal. DIANE M. JAMES Commission # 1733376 Notary Public OSeal) OSEAL
STATE OF CALIFORNIA CLASA) SS.
On 35, 200 before me, Carl Monday Public, personally appeared Notary Public, personally appeared who proved to me on the basis of salisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(les), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

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WITNESS my hand and official seal.

Notary Public

(Seal)

DIANE M. JAMES
Commission # 1733376
Notary Public - Colliernia
Santo Clara County
MyComm. Epites Apr 20, 2011

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TO BE COMPLETED BY PLANNING STAFF	
FILE NUMBER 10 10 - 0 1 0 COUNCIL DISTRICT QUAD# ZONING GENERAL	DATE
REZONING FILE NUMBER	BY
TOMBE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)	
ADDRESS OF PROPERTY BEING PROTESTED 894 Story Hurs L ASSESSOR'S PARCEL NUMBER(S) 4/2 - 40 - 0 > 3	~1
REASONOFPROTEST I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of which is situated at: (describe property by address and Assessor's Parcel Number) 5 4000 - 6	
412-46-023	
and is now zoned R1-8 District. (in Santa Clara	County)
The undivided interest which I own in the property described in the statement above is a Fee Interest (ownership) Leasehold interest which expires on Other: (expiain)	91:

	RE(S) OF PROTESTANTIS	ą
Section Kindson Ph	ひこんほうから ロロカエロのかんがする	١
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This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

ADDRESS 894 Store Hungton CITY SIGNATURE (NorthTized) / Make	DAYTIME V68-37/-8/60
ADDRESS 894 Stare Hungton CON	STATE ZIPCODE
SIGNATURE (NoteTized) / Make	DATE 9-27-2010
PRINTNAME L. McMahon	DAYTIME TELEPHONE#408-37/-8/60
ADDRESS 4 Stonehurst Way Cam	
SIGNATURE (proter zed)	DATE 9-22-10
PRINTNAME	DAYTIME TELEPHONE#
ADDRESS CITY	STATE ZIPCODE
SIGNATURE (Notarized)	DATE
PRINTNAME	DAYTIME TELEPHONE#
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Use separate sheet if necess	sery

STATE OF CALIFORNIA COUNTY OF)) ss.)		
satisfactory evidence to b acknowledged to me that	e the person(s) whose n the/she/ hey executed t ature(s) on the instrume	name(s) is/ ere sub he same in his/he		ıd i
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Notary F STATE OF CALIFORNIA COUNTY OF)) ss.)		
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I certify under PENALT paragraph is true and cor		the laws of the	State of California that the foregoi	ing
WITNESS my har	nd and official seal.			
Notary P	ublic		(Seal)	

ATTACHMENT A

TO ZONING PROTEST APPLICATION

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Planning, Building and Code Enforcement 200 East Santa Clara Sireet San José, CA 95113-1905 tel (408) 535-3555 (ax (408) 292-6056 Website: www.sanjoseca.gov/planning

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I protest the prope	osed rezoning becau	15 6		
	-		<u>-</u>	
		Use separate	sheet If necessary	
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Ca	mobell	CA 950	008	
			 .	
and is now zone	d R1-8		District. (in Santa Clar	a County)
The undivided into	erest which I own in	the property desc	ribed in the statement above is	sa:
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Leas	ehold interest which	expires on	<u> </u>	
☐ Othe	r:(explain)			
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SIGNATURE(S) OF PROTESTANT(S)

This form must be signed by ONE or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in tieu thereof, by 51% of the members of the association.

PRINTNAME SUSAN Bell ADDRESS 910 Stonehurst Way SIGNATURE (Notarbadd) A A		DAYTIME TELEPHONE#	40855	9-0357
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PRINTNAME Kent HBell		DAYTIME TELEPHONE#	108 559	
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I certify under PBNALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

DIANE M. JAMES
Commission # 1733576
Notary Public - Collidarda
Santa Clara County
My Comm. Belies Apr 20, 2011

ATTACHMENT A

TO ZONING PROTEST APPLICATION

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TO FEE COMPLETED BY FLANNING STAFF	
FILENUMBER C/0-0/0 COUNCIL DISTRICT	DATE
QUAD# ZONING GENERAL PLAN	BY
REZONING FILE NUMBER	
TO/BE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)	
	mebell
ADDRESS OF PROPERTY BEING 940 STONE DURS THY - (1) ASSESSOR'S PARCEL NUMBER(S) 4/2-40-020	
REASONOF PROTEST I protest the proposed rezoning because See Attachment A	·
Use separate sheet if necessary	
The property in which I own an undivided interest of all least 51%, and on behalf of which is situated at: (describe property by address and Assessor's Parcel Number)	
940 Stonehvest Wy, (1 412-40-020	nugobe!!
412-40-020	
and is now zoned R1-8 District. (in Santa Clara	County)
The undivided interest which I own in the property described in the statement above is a	a:
Fee Interest (ownership)	
Leasehold Interest which expires on	
Other: (explain)	· · · · · · · · · · · · · · · · · · ·
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SIGNATURE(S) OF P	ROTEST/	NT(S)		
This form must be signed by ONE or more owners of an undle which such protest is filed, such Interest being not merely an external remaining term of ten years or longer shall be deemed an "ow an eligible protest site is a legal entity other than a person or duly authorized officer(s) of such legal entity. When such legal petition shall be signed by the duly authorized officer(s) of summembers of the association.	easement. A mer" for purp persons, the al entity is a l	tenant under all ooses of this pro e protest petifion nomeowner's as	lease which fest. When t a shall be sig sociation, th	has a he owner of Ined by the e protest
PRINTNAME VIVIEN L. GRAHAM		DAYTIME TELEPHONE#	37/-	3970
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Use separate sheet	ifnecessary	<u> </u>		

STATE OF CALIFORNIA)	
COUNTY OF Santa Clair) ss.)	
satisfactory evidence-to be the person(s) whose is acknowledged to me that he/she/they executed to	Notary Public, personally appeared who proved to me on the basis of name(s) is/are subscribed to the within instrument and the same in his/her/their authorized capacity(ies), and nent the person(s), or the entity upon behalf of which the	
I certify under PENALTY OF PERJURY under	er the laws of the State of California that the foregoing	
witness my hand and official seal. Lune M Notary Public	Committee # 1733 Notary Public - Calife Santa Cigra Coun My Comm. Expres Apr 20,	ıtv
STATE OF CALIFORNIA COUNTY OF) ss.)	
On before me,	, Notary Public, personally appeared , who proved to me on the basis of	
acknowledged to me that he/she/they executed that by his/her/their signature(s) on the instrume person(s) acted, executed the instrument.	name(s) is/are subscribed to the within instrument and the same in his/her/their authorized capacity(ies), and tent the person(s), or the entity upon behalf of which the	
paragraph is true and correct.	2 20 18/10 07 21/0 07/07/07	
WITNESS my hand and official seal.		
	(Seal)	
Notary Public		

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SIGNATURE(S) OF PROTEST	ANT(S)		
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STATE OF CALIFORNIA COUNTY OF Sorfa Close Ss. Ss.
On Sign 35, 2010 before me, Notary Public, personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. DIANE M. JAMES Commission # 1733376 Notary Public - Collifornic Bonda Clara County My Comm. Explan Apr 20, 2011
STATE OF CALIFORNIA COUNTY OF Santa Clara Sec. 85.
Denute Description of the personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and arknowledged to me that he/she/they executed the same in his/her/their authorized capacity(les), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
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Notary Public

<u>ATTACHMENT A</u>

TO ZONING PROTEST APPLICATION

- 1. <u>Prezoning Paves the Way for Streamlined Annexation Without Protest.</u> The Prezoning is proposed in conjunction with and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
- 2. Prezoning Directly Contradicts City of Campbell and Cambrian 36 Property Owners Requests. The Prezoning is the first step of a unilateral effort initiated by the City of San Jose to annex Cambrian 36 – an effort which directly contradicts the stated desire of both the City of Campbell and Cambrian 36 property owners to annex Cambrian 36 into the City of Campbell. In October of 2006, a petition signed by 204 Cambrian 36 property owners was presented to the City of Campbell asking that it be annexed to the City of Campbell. In response, the City of Campbell directed its staff to pursue two different possibilities for annexation of Cambrian 36, one which received preliminary support from City of San Jose staff. Councilmember Judy Chirco, citing an inapplicable 1984 city policy (concerning de-annexation), quashed this effort. Despite this disappointing response, both Campbell's and Cambrian 36 property owners' interest in annexing Cambrian 36 remains unequivocal. As recently expressed in the Mayor of Campbell's letter to the Mayor of San Jose dated September 2, 2010, "Campbell welcomes the annexation of the Cambrian #36 pocket into our city. The residents have Campbell mailing addresses, identify with Campbell, and stated a clear preference to be part of Campbell."
- 3. <u>Prezoning Will Result in Annexation that Will Not Benefit My Property.</u> My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEOA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 more than 16 years ago and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).